



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

MAR 07 2019

Mr. Lawrence J. McShea, P.E.
Project Manager
Arconic, Inc.
100 Technical Drive
New Kensington, PA 15069-0001

Re: Arconic, Inc. Massena, New York Facility, EPA I.D. No. NYD002232304
(formerly Alcoa, Inc.) Approval to Operate Secure Landfill Cell 3 Expansion

Dear Mr. McShea:

By this letter, the United States Environmental Protection Agency, Region 2, ("EPA") grants approval to operate the Cell 3 Expansion of the chemical waste landfill (a.k.a. Secure Landfill) at the Massena New York facility of Arconic, Inc., formerly the Aluminum Company of America, ("Alcoa" or "ALCOA") for the disposal of waste containing polychlorinated biphenyls (PCBs). The chemical waste landfill is herein designated as the "Arconic/Alcoa landfill", except where it is otherwise designated as the Alcoa landfill or the ALCOA landfill in previous letters and documents.

The Approval to operate the Cell 3 expansion of the Arconic/Alcoa landfill is issued pursuant to the federal regulations concerning PCBs promulgated pursuant to the Toxic Substances Control Act and contained in Title 40, Part 761 of the Code of Federal Regulations (40 C.F.R. Part 761). Approval to operate Cell 3 is based on Alcoa's original application and supporting documents, the final Certification Report and the final Operations and Maintenance Manual. The disposal of PCBs in the Arconic/Alcoa landfill is subject to compliance with the federal regulations at 40 C.F.R. Part 761, the conditions in this Approval letter, the aforementioned documents and the approval to operate Cell 3 expansion issued by the New York State Department of Environmental Conservation ("NYSDEC") on November 2, 2018.

Acceptance Requirement and Effective Date

This Approval shall become effective on the date the Director of the Clean Air and Sustainability Division, EPA Region 2 receives written notification from Arconic of its acceptance of, and intention to comply with, the terms and conditions of this Approval. This proposed Approval may be withdrawn if such notification from Arconic is not received within forty-five (45) calendar days of the date herein.

Background and History

On July 20, 1993, EPA approved the construction of the Arconic/Alcoa landfill for PCB disposal. Cell 3 of the landfill was designed and constructed with the approval of NYSDEC for the disposal of PCB waste at or associated with the Alcoa, Massena, New York facility as determined by NYSDEC and sediment and debris removed from the lower Grasse River site as determined by EPA. NYSDEC granted Alcoa approval to operate Cell 3 of the Arconic/Alcoa landfill on July 6, 2005.

The initial EPA Region 2 PCB approval, issued on July 29, 2005, authorized Cell 3 to operate and receive PCB waste from the sources specified by NYSDEC for a five-year period, which expired in 2010, at which time an interim cap was installed.

Via application to EPA dated September 1, 2015 Alcoa requested to re-open Cell 3 to allow for limited additional PCB waste disposal, and to construct an expansion of Cell 3. Subsequently EPA granted approval to Alcoa and Arconic to re-open and operate the existing Cell 3, and to commence construction of the Cell 3 expansion, via letters dated November 9, 2016 and March 30, 2017, respectively.

Principal documents which EPA considered in reaching the determinations contained in this Approval include those letters referenced in EPA's November 9, 2016 letter to Arconic and the following:

February 3, 2017	Draft Final Construction Work Plan (CWP), Construction Quality Assurance Plan (CQAP), Operations and Maintenance (O&M) Manual and Draft Final Work Plan for Cell 3 Operation and Maintenance (O&M WP)
March 20, 2017	Request for Approval to Construct Cell 3 Expansion of the Chemical Waste Landfill
May 1, 2017	Revised CQAP, Revised CWP, Revised O&M Manual, and Revised Cell 3 O&M WP Response to EPA comments dated March 30, 2017
July 31, 2017	Revised CQAP, Revised CWP, Revised O&M Manual, and Revised Cell 3 O&M WP Response to EPA comments dated June 30, 2017
November 30, 2017	Draft Certification Report and 2017 Operations Summary
February 23, 2018	Certification Report for Expansion of Cell 3 of the Secure Landfill Massena West Plant SLF Cell 3 Operations Memorandum SLF 3 Expansion Record Drawings Response to EPA comments dated January 19, 2018
April 30, 2018	Draft Secure Landfill O&M Manual (Parts 1 and 2)
May 15, 2018	Draft Secure Landfill O&M Manual (Part 3)
May 1, 2018	Revised Certification Report for Expansion of Cell 3 of the Secure Landfill Massena West Plant SLF Cell 3 Operations Memorandum

	SLF 3 Expansion Record Drawings Response to EPA comments dated April 18, 2018
June 1, 2018	Secure Landfill O&M Manual
November 2, 2018	NYSDEC's approval to operate the Cell 3 expansion
December 3, 2018	Arconic's letter to EPA requesting approval to operate the Cell 3 expansion

Time Period for PCB Waste Acceptance

Subject to the limitation on capacity specified below and unless NYSDEC extends its authorization for operation of Cell 3, the Arconic/Alcoa landfill Cell 3 may receive PCB waste only until August 31, 2023. Arconic should copy EPA on any such extension requests submitted to NYSDEC. In the event that NYSDEC extends its authorization past August 31, 2023, then Cell 3 may receive PCB waste until the sooner of the new date specified by NYSDEC or five years from the date of Arconic's notification of its acceptance of the terms of this Approval.

Unless such extension to operate is requested and granted, by September 30, 2023 Arconic shall submit plans to permanently close the facility by August 31, 2024 (see Closure Requirements, below).

Waste Source and Permitted Volume (Capacity)

PCB waste which may be disposed in Cell 3 of the landfill is limited to sediments (including stabilization and bulking agents) and miscellaneous contaminated debris, (e.g., Remedial Options Pilot Study ("ROPS") and staging area wastes) associated with the dredging of the Grasse River, other cleanup actions performed pursuant to the *Record of Decision for the Grasse River Superfund Site*, dated April 2013, as well as related cleanup actions determined to be necessary by NYSDEC. The maximum permitted volume of waste disposed in Cell 3 (i.e., its design capacity) is approximately 276,000 cubic yards, including waste already disposed in Cell 3. The actual volume of PCB waste to be disposed will be determined by the disposal needs of the aforementioned cleanup actions.

Risk To Health or the Environment

EPA Region 2 finds that the operation of the Cell 3 expansion area of the Arconic/Alcoa landfill in accordance with the conditions and requirements of this Approval, NYSDEC's approval to operate the Cell 3 expansion, and EPA's original Cell 3 approval letter including Appendix A attached thereto (to the extent the conditions and requirements do not conflict with the conditions and requirements contained in this Approval) will not present an unreasonable risk of injury to health or environment from PCBs.

Closure Requirements

Arconic shall close Cell 3 when it reaches full capacity or when its operating term as specified in this Approval ends. The closure shall be in accordance with the closure plan in the approved O&M Manual. Upon completion of the closure, Arconic shall submit to EPA Region 2 an

independent registered engineer's written certification, including as-built drawings, that the closure construction was completed in accordance with the approved closure plan and design specifications. Arconic shall also commence long-term monitoring and maintenance of the Arconic/Alcoa landfill as identified in the approved O&M Manual upon completion of the closure.

Public Information and Public Comment Period

The proposed use of the Arconic/Alcoa chemical waste landfill to receive waste removed from the Grasse River site was identified in the *Proposed Plan for the Grasse River Superfund Site* ("the Proposed Plan") dated September 2012. The public was made aware of the proposed use of the Arconic/Alcoa chemical waste landfill at public informational meetings concerning the Grasse River remediation held in the Massena Town Hall and the Massena High School on November 12, 2012 and in the Saint Regis Mohawk School and at the Office for the Aging at the Mohawk reservation, Akwesasne, on November 15, 2012. No objections to the use of the landfill were raised at the meetings or in the more than 400 comments EPA received during a 2-month public comment period held in 2012 on the Grasse River remediation project.

EPA also consulted with the Saint Regis Mohawk Tribe, the U.S. Department of the Interior (U.S. Fish and Wildlife Service), and the National Oceanic and Atmospheric Administration, who are the tribal and federal natural resource trustees for the Grasse River. The tribal and federal trustees provided comments on the Proposed Plan in a letter to EPA dated November 29, 2012 and offered no comments or objections to the proposed use of the Arconic/Alcoa chemical waste landfill. The Saint Regis Mohawk Tribe also provided comments in a separate letter to EPA dated November 29, 2012 and offered no objection to the proposed use of the landfill.

The draft letter proposing approval of the re-opening of Cell 3 was posted on the EPA website for public comment from August 29 to September 23, 2016. Comments were received only from Arconic which EPA took into account.

Finally, the draft version of this approval letter was similarly posted on the EPA website, and thus was available to the public for comment from January 30, 2019 to February 20, 2019. No comments were received.

Financial Assurance for Closure and Long-Term Maintenance

Arconic has provided to EPA Region 2 an acceptable financial assurance mechanism for the completion of final closure and long-term maintenance and monitoring of Cell 3. The amount of financial assurance provided pursuant to this Approval shall be reviewed and adjusted, subject to EPA approval, every five years or at such other time as EPA may specify. Any change to approved financial assurance mechanism(s) shall be subject to EPA approval.

Responsibility and Obligations of Arconic and Any Successor

Arconic shall be responsible for the actions of all individuals, contractors or agents which are involved in activities relating to this Approval. Furthermore, Arconic's obligations under this

Approval shall be binding on any successor of Arconic Inc. whether such successor is created by merger, corporate reorganization, divestiture, or otherwise. The provisions of 40 C.F.R. § 761.75(c)(7) will also apply to any future successors of Arconic Inc.

Modification, Suspension or Revocation

This Approval may be suspended, revoked, modified, or otherwise altered at any time if evidence indicates a violation of the conditions of this approval, or of 40 CFR Part 761, or of any other applicable rules or regulations has occurred, or if it is determined that the continued implementation presents an unreasonable risk of injury to public health or the environment.


Furthermore, receipt of evidence that misrepresentation of any material fact has been made in the application, or that all relevant facts have not been disclosed, shall constitute sufficient cause for suspension, revocation or modification of this approval.

Any change or modification in requirements or conditions of this Approval proposed by Arconic, including any proposal to permit PCB wastes from additional sources to be placed in the Cell 3 expansion area, must receive prior written approval from EPA to become effective.

Compliance Failure

Failure to comply with the conditions of this Approval constitutes a violation of the PCB regulations and § 15 of TSCA, 15 U.S.C. § 2614.

Sincerely,



John Filippelli, Director
Clean Air and Sustainability Division

cc: Peter R. Taylor, NYSDEC Region 6 Headquarters